

State of Vermont Agency of Human Services Department of Corrections	Title: Electronic Monitoring		Page 1 of 7
Chapter: Security and Supervision	# 430.12	NEW	
Attachments, Forms & Companion Documents: 1. All forms and companion documents are available on the DOC website.			
Local Procedure(s) Required: No.			
Applicability: All staff.			
Security Level “B”- Anyone may have access to this document.			
4-22-15 For Public Comment			

PURPOSE

The purpose of this administrative directive is to establish guidelines for the proper use of electronic monitoring.

POLICY

It is the policy of the Department of Corrections (DOC) to utilize electronic monitoring to enhance risk management supervision of offenders when consistent with offender risk and approved supervision practices.

AUTHORITY

28 V.S.A. §§ 101, 202(3), 403(1), and 808(b); 13 V.S.A. 7554b.

REFERENCE

Department Administrative Directives 430.10 *Risk Management Supervision – Field*, 431.01 *Home Detention*, and 371.27 *Home Confinement Furlough*.

DEFINITIONS

Electronic Monitoring (EM): Any electronic device or technology that automates, replicates, or supports supervision tactics that would normally require direct staff presence or resources.

PROCEDURAL GUIDELINES

1. Electronic monitoring devices utilized by the DOC for risk management offenders are specified by the Director of Field Services, or designee. These include, but are not limited to:

Type	Description
Transdermal Alcohol Monitoring	This is a noninvasive measurement device that monitors alcohol intake. It records perspiration and transmits that information.
GPS – Location Monitoring	Monitors offender movement in the community and notifies the supervising officer that an offender is not complying with conditions of supervision. Staff has the ability to access offenders' historical movement by checking web based reports.

2. Specific staff responsibilities for the management of the EM program include but are not limited to the following:
 - a. The District Manager (DM) is responsible for ensuring the use of EM complies with the requirements set forth in this directive. This responsibility may be delegated to the Community Correctional Program Supervisor (CCPS) in charge of the applicable EM program. Additionally, the District Manager will identify an EM Equipment Coordinator for the site.
 - b. The DM, or designee is responsible to:
 - i. Ensure compliance with offender eligibility requirements.
 - ii. Ensure EM staff is adequately trained and equipped to conduct its duties.
 - iii. Adjust operational coverage to ensure adequate staffing levels to monitor and respond to critical incidents and equipment failures;
 - iv. Track daily usage of EM equipment.
 - v. Conduct regular checks and audits of database systems to ensure data entry compliance and proper usage.
 - c. It is the responsibility of field staff utilizing EM equipment to:
 - i. Explain to the offender how equipment is installed and how it functions.
 - ii. Review precautions and care needs of all equipment.
 - iii. Review all conditions and collect necessary signatures on needed documentation.
 - iv. Review the process for reporting issues, loss, damage, or destruction of equipment.
 - v. Complete all data input as required by the vendor and the DOC.
 - vi. Install equipment according to vendor requirements and insure proper functioning.

- 1 vii. Create and maintain EM files for all active EM offenders. At a minimum, these
2 files shall contain signed associated forms and supporting documentation,
3 including, but not limited, to a copy of the graduated sanction.
4
- 5 3. Offenders are eligible for EM if the following conditions are satisfied:
6
7 a. Subject to DOC supervision of probation, parole, SCS, or furlough.
8
9 b. Likely to benefit from risk control or risk reduction support provided by enhanced
10 supervision of EM.
11
12 c. Have a condition of supervision that electronic monitoring can assist in supervising.
13
14 d. Meets the supervision needs of the DOC, including, but not limited to, availability of
15 equipment, as determined by the DM or designee.
16
- 17 4. The length of EM shall be determined by adherence to the following practices:
18
19 a. EM shall not exceed 180 days of continuous use unless a longer period of use is required
20 by a supervision plan approved by the DM or designee.
21 b. Offenders subject to EM will be reviewed by the DM or designee every thirty days to
22 ensure use of EM is necessary.
23 c. Offenders may be removed earlier than the intended period upon recommendation by the
24 supervising officer and approval of the DM or designee.
25
- 26 5. EM cases shall be documented in the following manner:
27
28 a. Offenders' placement on EM will be documented in case notes and by completing any
29 necessary forms associated with the program. At minimum, the case note documentation
30 shall include placement date, the reason for use of EM, and the type of equipment
31 utilized.
32
33 b. The removal of an offender from EM shall be documented in contact notes. The staff
34 person who removes the equipment is responsible for the documentation. At minimum
35 the contact note documentation shall include the reason for the discontinuance of EM,
36 the date the offender is due to stop EM, as well as noting the condition and return of the
37 EM equipment.
38
- 39 6. Each DM will designate a Probation and Parole Officer (PO) or Community Corrections
40 Officer (CCO) responsible for coordinating EM equipment for the office. In addition to
41 other assigned duties, designated staff will:
42
43 a. Coordinate equipment installation, maintenance as required, inspection for damage upon
44 return, cleaning, and inventory.
45
46 b. Communicate equipment needs/problems to the statewide EM Equipment Coordinator
47 and DM or designee.

- 1 c. Assist other employees in determining offender eligibility for EM, the type of EM that is
2 most appropriate on a case-by-case basis, the installation and removal of EM hardware,
3 and reading electronic notifications, maps, and related information.
4
- 5 7. As part of his/her duties the EM Equipment Coordinator shall:
6
- 7 a. Track all EM equipment that enters and leaves the site. All equipment shall be logged
8 and tracked in a locally maintained spreadsheet using the following information:
9
- 10 i. Company name;
11 ii. Equipment model number;
12 iii. Equipment serial number;
13 iv. Date the equipment came into the site;
14 v. Date the equipment left the site;
15 vi. Reason the equipment left the site; and
16 vii. Destination of the outgoing equipment.
17
- 18 b. Package, mail, and track shipments of outgoing equipment.
19
- 20 c. Communicate with the statewide EM Equipment Coordinator to ensure unused
21 equipment is available for use by other sites.
22
- 23 d. Request additional equipment as needed.
24
- 25 e. Rotate equipment when needed for repairs or scheduled maintenance.
26
- 27 f. Maintain appropriate quantities of EM devices and accessories such as straps, batteries,
28 clips, and tools.
29
- 30 g. Ensure that EM equipment is secured in a manner that minimizes opportunity for theft or
31 damage.
32
- 33 8. Damaged and Destroyed Equipment
34
- 35 a. Offenders are responsible for the EM equipment assigned to them; such offenders shall
36 sign any necessary enrollment forms provided as part of the EM program.
37
- 38 b. If an offender under EM supervision intentionally damages, destroys, or loses an EM
39 device, the assigned PO shall report the loss to his/her DM. The DM will subsequently
40 notify the Field Services Operations Manager or designee. The DOC may require
41 restitution from the offender for the cost of repairs and/or replacement.
42
- 43 9. Before an offender can be placed in the EM program an intake for EM supervision must be
44 conducted. The intake must include the following steps:
45
- 46 a. Eligibility Review: The assigned PO must determine the offender is eligible, as set forth
47 in section 3.
48

- 1 b. Agreement Forms: Staff who place EM equipment on an offender will ensure that all
2 agreements are explained and understood by the offender before obtaining a signature on
3 any associated forms. Agreement forms shall be kept in an EM file for reference by field
4 staff during the EM supervision. Once an offender is removed from EM supervision,
5 his/her associated EM file shall be purged and any associated forms and documentation
6 shall be placed in the offender's central file.
7

8 10. Review of EM 9

- 10 a. EM compliance shall be reviewed daily unless staff is unavailable. If EM compliance is
11 not reviewed daily, it must be reviewed the next day staff is available. All reviews shall
12 be documented in OMS.
13
14 b. At least once every 30 days, the assigned PO shall physically inspect the EM device and
15 strap for evidence of tampering and proper fit. All inspections shall be documented in
16 case notes.
17

18 11. Response to EM Alerts 19

- 20 a. EM devices may generate alerts because of offender actions and/or equipment failures.
21 When these occur, the EM vendor notifies DOC by issuing an alert notification. Staff
22 shall contact offenders as soon as reasonably possible when an alert is received.
23
24 b. Each site will establish a protocol for the review and response of EM issues and alerts.
25 When possible, the assigned PO should evaluate an offender's behavior/compliance on
26 the EM program. The PO shall be trained and responsible for the following actions:
27
28 i. Monitoring GPS tracking and offender compliance with established schedules,
29 curfews, and exclusion zones.
30
31 ii. Reviewing alert notifications to identify violations requiring staff follow-up.
32 Alerts requiring staff follow-up include, but are not limited to:
33
34 (a) Consumption of alcohol.
35 (b) Equipment tampering.
36 (c) Equipment failures.
37 (d) Other offender compliance issues as necessary.
38
39 iii. Responding directly to offenders in a reasonable time frame for non-critical
40 violations, including but not limited to:
41
42 (a) Resolved out of place GPS alerts.
43 (b) Miscellaneous equipment alerts, such as charging violations or periodic
44 signal loss.
45
46 iv. Staff questions or concerns about the functionality of EM equipment shall be
47 reported to the District Manager or designee and the EM vendor.
48
49

1 **TRAINING**

2
3 The Director of Field Services shall review this directive with District Managers and Supervisors.

4
5 District Managers shall ensure that staff complete training and understand their responsibilities prior
6 to supervising offenders using EM technology.

7
8 **QUALITY ASSURANCE**

9
10 It is the District Manager's responsibility to monitor compliance with this directive. Compliance
11 shall be noted in staff performance evaluations.

12
13 The Corrections Field Compliance Monitor shall work with the Quality Assurance Unit to identify
14 performance and outcome measures for the EM program.

**Vermont Department of Corrections
Electronic Monitoring Agreement**

Offender Name _____

Date placed on EM _____ **Equipment Number(s):** _____

1. I understand and agree that I will be placed on an electronic monitoring system, which will be connected to a central computer and monitored by staff. _____ initial

2. I agree to report to my home or other place as directed for purposes related to electronic monitoring, such as data downloads, required testing, equipment maintenance, system testing, charging equipment as instructed, and equipment removal or testing. _____ initial

3. I agree to allow DOC staff into my residence to inspect and maintain the electronic monitoring equipment. _____ initial

4. I agree to notify the Probation & Parole Office immediately in the event of any equipment failure, loss, damage, or destruction. _____ initial

5. I agree that electronic monitoring system data indicating non-compliance with a condition of supervision constitutes reasonable suspicion that I violated the indicated condition of supervision. _____ initial

6. Any tampering or activity designed to impede the intended use of electronic monitoring is a violation of this agreement and may result in disciplinary action. _____ initial

7. Failure to carry or wear the tracking device on my person at all times when outside of my residence will be considered an attempt to evade supervision and may result in disciplinary action or new criminal charges. _____ initial

8. I agree that any violation of these conditions is cause for removal from the program and may result in disciplinary action and/or criminal charges. _____ initial

9. I agree to return all the electronic monitoring equipment when instructed. I understand and agree that I am responsible for any damage or loss of the equipment assigned to me. I also understand and agree that I will be required to pay for any damage to or loss of the equipment assigned to me and that any damage to or loss of the equipment assigned to me may result in criminal charges against me. _____ initial

I HAVE READ THE ABOVE CONDITIONS OF THIS AGREEMENT, OR HAVE BEEN EXPLAINED TO ME. I UNDERSTAND THE ABOVE CONDITIONS AND AGREE TO ABIDE BY ALL CONDITIONS OF THIS AGREEMENT.

Offender Signature: _____ Date: _____

Staff Signature: _____ Date: _____